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Honorable Whitman L. Holt  
Chapter 11  
Hearing Date: December 21, 2021  
Hearing Time: 11:00 a.m.  
Hearing Location: (via telephone)

6 *Attorneys for Cody Easterday and Debby Easterday*

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8 IN THE UNITED STATES BANKRUPTCY COURT  
9 EASTERN DISTRICT OF WASHINGTON

10 In re: )  
11 EASTERDAY RANCHES, INC., *et al.*, ) Chapter 11  
12 Debtors.<sup>1</sup> ) Lead Case No. 21-00141-11  
13 ) Jointly Administered  
14 EASTERDAY RANCHES, INC. and ) Adv. Proc. No. 21-80050(WLH)  
EASTERDAY FARMS, )  
15 Plaintiffs ) CODY AND DEBBY EASTERDAY'S  
16 v. ) JOINDER IN SUPPORT OF MOTIONS  
ESTATE OF GALE A. EASTERDAY ) FILED BY KAREN EASTERDAY  
(DECEASED), KAREN L. EASTERDAY, )  
CODY A. EASTERDAY, AND DEBBY )  
EASTERDAY, )  
19 Defendants. )

20 Cody and Debby Easterday (the "Easterdays") defendants in the above captioned  
21 Adversary Proceeding file this joinder in support of the Notice and Motion to Disqualify Pachulski  
22 Stang Ziehl & Jones LLP and Bush Kornfeld LLP as Counsel for Debtors (the "Motion to  
23 Disqualify") [ECF No. 28], the Notice and Motion for Reconsideration (the "Motion to  
24 Reconsider") [ECF No. 29], and Karen L. Easterday's Notice and Motion to Shorten Time as to

25  
26 <sup>1</sup> The Debtors, along with their case numbers, are as follows: Easterday Ranches, Inc. (21-00141) and Easterday Farms, a Washington general partnership (21-00176).

1 Her Motion to Disqualify Pachulski Stang Ziehl & Jones LLP, and Motion for Reconsideration  
2 (the “Motion to Shorten”) [ECF No. 30] (Collectively the “Motions”) filed by Karen L. Easterday.  
3 The Easterdays hereby incorporate the Motions as if fully set forth herein and agree the Complaint,  
4 Answer and Counterclaim filed in the Adversary Proceeding make clear a direct, live adversity  
5 has arisen. As noted in the Motion to Disqualify, there is an actual conflict between Farms and  
6 Ranches because the court must determine which of them (along with the Easterday family) owned  
7 the Sale Properties and how much value each of the estates (along with the Easterday family) will  
8 receive from the proceeds of the Sale. Under these facts counsel for the Debtors should be  
9 disqualified from representing both Debtors in the Adversary Proceeding as they are not  
10 disinterested and hold interests adverse to each estate.

11 The Easterdays also agree that the issue of who can be appointed as new counsel should be  
12 revisited. The unsecured creditor committee counsel cannot be appointed to represent the Debtor's  
13 interests as the committee's interests are more limited and may diverge from the estates interests  
14 as a whole. *See* 11 U.S.C. § 1103(b). To that end the Easterdays note that the issues raised in the  
15 Motion to Disqualify are similar to issues that are often resolved through the appointment of  
16 special counsel under 11 U.S.C. § 327(e), as has previously been done in these Chapter 11 cases.

17 For these reasons and the reasons set forth in the Motions, the Easterdays respectfully  
18 request the court grant the Motion to Disqualify, the Motion for Reconsideration and the Motion  
19 to Shorten Time and order Pachulski Stang Ziehl & Jones LLP and Bush Kornfeld LLP to  
20 immediately cease representing the Debtors in this Adversary Proceeding.

**21** Dated this 17<sup>th</sup> day of December, 2021.

SUSSMAN SHANK LLP

*/s/ Jeffrey C. Misley*

By \_\_\_\_\_  
Jeffrey C. Misley, WSBA # 33397  
Attorneys for Cody Easterday and Debby Easterday

1                           CERTIFICATE OF SERVICE

2                           I, Majesta P. Racanelli, declare as follows:

3                           I am employed in the County of Multnomah, state of Oregon; I am over the age of eighteen  
4                           years and am not a party to this action; my business address is 1000 SW Broadway, Suite 1400,  
5                           Portland, Oregon 97205-3089, in said county and state.

6                           I certify that on December 17, 2021, I served **CODY AND DEBBY EASTERDAY'S**  
7                           **JOINDER IN SUPPORT OF MOTIONS FILED BY KAREN EASTERDAY**, on all ECF  
8                           participants as indicated on the Court's Cm/ECF system.

9                           I swear under penalty of perjury that the foregoing is true and correct to the best of my  
10                          knowledge, information, and belief.

11                          Dated: December 17, 2021.

13                          */s/ Majesta P. Racanelli*

14                          \_\_\_\_\_  
Majesta P. Racanelli, Paralegal

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CERTIFICATE OF SERVICE - Page 1